By Senator Stewart

A bill to be entitled
An act relating to motor vehicle glass; amending s. 559.920, F.S.; prohibiting motor vehicle repair shops or their employees from offering anything of value to a customer in exchange for making an insurance claim for motor vehicle glass replacement or repair, including offers made through certain persons; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 559.920, Florida Statutes, is amended to read:

559.920 Unlawful acts and practices.—It is shall be a violation of this act for any motor vehicle repair shop or employee thereof to do any of the following:

(1) Engage or attempt to engage in repair work for compensation of any type without first being registered with or having submitted an affidavit of exemption to the department.

(2) Make or charge for repairs which have not been expressly or impliedly authorized by the customer.

(3) Misrepresent that repairs have been made to a motor vehicle.

(4) Misrepresent that certain parts and repairs are necessary to repair a vehicle.

(5) Misrepresent that the vehicle being inspected or diagnosed is in a dangerous condition or that the customer’s continued use of the vehicle may be harmful or cause great damage to the vehicle.
(6) Fraudulently alter any customer contract, estimate, invoice, or other document.

(7) Fraudulently misuse any customer’s credit card.

(8) Make or authorize in any manner or by any means whatever any written or oral statement which is untrue, deceptive or misleading, and which is known, or which by the exercise of reasonable care should be known, to be untrue, deceptive or misleading.

(9) Make false promises of a character likely to influence, persuade, or induce a customer to authorize the repair, service, or maintenance of a motor vehicle.

(10) Substitute used, rebuilt, salvaged, or straightened parts for new replacement parts without notice to the motor vehicle owner and to her or his insurer if the cost of repair is to be paid pursuant to an insurance policy and the identity of the insurer or its claims adjuster is disclosed to the motor vehicle repair shop.

(11) Cause or allow a customer to sign any work order that does not state the repairs requested by the customer or the automobile’s odometer reading at the time of repair.

(12) Fail or refuse to give to a customer a copy of any document requiring the customer’s signature upon completion or cancellation of the repair work.

(13) Willfully depart from or disregard accepted practices and professional standards.

(14) Have repair work subcontracted without the knowledge or consent of the customer unless the motor vehicle repair shop or employee thereof demonstrates that the customer could not reasonably have been notified.
(15) Conduct the business of motor vehicle repair in a location other than that stated on the registration certificate.

(16) Rebuild or restore a rebuilt vehicle without the knowledge of the owner in such a manner that it does not conform to the original vehicle manufacturer’s established repair procedures or specifications and allowable tolerances for the particular model and year.

(17) Offer to a customer a rebate, gift, gift card, cash, coupon, or any other thing of value in exchange for making an insurance claim for motor vehicle glass replacement or repair, including an offer made through a nonemployee who is compensated for the solicitation of insurance claims.

(19) Perform any other act that is a violation of this part or that constitutes fraud or misrepresentation.

(18) Violate any provision of s. 713.585.

Section 2. This act shall take effect July 1, 2022.